

REMARKS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided, for the indication that the drawings are acceptable, for the acknowledgment of Applicant's Information Disclosure Statement by return of the Form PTO-1449, and for the acknowledgment of Applicant's Claim for Priority and receipt of the certified copy of the priority document in the Official Action.

Upon entry of the above amendments claims 1-6 will have been amended and claims 7-12 will have been newly presented. Claims 1-12 are currently pending. Applicant submits that none of the amendments or newly presented claims contain impermissible new matter. Applicant respectfully requests reconsideration of the outstanding rejections, and allowance of all the claims pending in the present application.

In the Official Action claims 1, 2, 4 and 6 were rejected under 35 U.S.C. 102(b) as being anticipated by SHARPE (U.S. Patent No. 5,570,856), and claims 1-3, and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by LEWIS (U.S. Patent No. 6,070,723).

Applicant respectfully traverses the rejections under 35 U.S.C. § 102(b).

In regard to SHARPE, Applicant initially submits that SHARPE lacks any disclosure of a *package for a wiper blade*, much less a *receiving space configured to receive a wiper blade*, as recited in claim 1. In this regard, Applicant notes that

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SHARPE discloses a container for coiled film stock (note Fig. 7 and column 4, lines 26-29). Applicant further submits that SHARPE lacks any disclosure of *separate upper and lower cases* as recited in claim 1. In this regard, Applicant notes that SHARPE discloses “a top wall or lid, 28, integrally formed into housing portion 12 opposite bottom wall 14” (column 4, lines 51-53). The top wall/lid 28 is connected with the housing portion 12 by “integral or ‘living’ hinge 36” (column 4, lines 55-57). Accordingly, it is clear that the integrally formed top wall/lid 28 and housing 12 of SHARPE do not constitute *separate upper and lower cases*.

Applicant further submits that SHARPE lacks any disclosure of a portion of an upper lip extending around a lower section of an upper case and a first portion of a lower lip of a lower case being *configured to be clamped to each other continuously around the lower section*, as recited in claim 1. In this regard, Applicant notes that SHARPE discloses that the rear lid portion 98 includes protrusions 38a, 38b which engage in cavities 40a, 40b of flange 26 of housing 12 (note Fig. 8 and column 4, lines 60-65). However, Applicant submits that such protrusions 38a, 38b and cavities 40a, 40b are not *clamped to each other continuously around the lower section*, particularly since they only extend along a relatively small portion of the lip of lid portion 98 as shown in Fig. 8. Further, as noted above, the top wall/lid 28 (including rear lid portion 98) is integrally formed with the housing 12 by integral hinge 36.

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Applicant also submits that dependent claims 2, 4 and 6, which are at least patentable due to their dependency from claim 1 for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record. For example, Applicant submits that SHARPE lacks any disclosure of a specification holding nose that holds a specification of a wiper blade (claims 2 and 6); or a second clamping projection provided on a portion of an upper lip extending around a lower section of an upper case, which is configured to be fitted into a second clamping groove provided on a portion of an upper lip extending around an upper section of an upper case (claims 4 and 6). In this regard, Applicant notes that in SHARPE the protrusions 102a, 102b on forward lid portion 96 engage the cavities 104a, 104b of flange 26 of housing 12 (column 6, lines 49-53), and do not engage projections 38a, 38b.

Applicant respectfully submits that the rejection of claims 1, 2, 4 and 6 under 35 U.S.C. § 102(b) based on SHARPE is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of all of the pending claims.

In regard to LEWIS, Applicant submits that LEWIS lacks any disclosure of a second portion of a lower lip of a lower case being provided with a first clamping groove, and *a portion of an upper lip extending around an upper section of an upper case being provided with a first clamping projection which is configured to be fitted into*

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*the first clamping groove*, as recited in claim 1. In this regard, Applicant notes that front wall 122 and rear wall 123 of the transverse front rib 110 in LEWIS do not *extend around* the door 32.

Applicant also submits that dependent claims 2, 3 and 5, which are at least patentable due to their dependency from claim 1 for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record.

Applicant respectfully submits that the rejection of claims 1, 2, 3 and 5 under 35 U.S.C. § 102(b) based on LEWIS is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of all of the pending claims.

Applicant further submits that newly presented claims 7-12, which are at least patentable due to their dependency from claim 1 for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record. For example, claims 7 and 8 recite that the receiving space of the lower case contains a *wiper blade*. Further, claims 9 and 10 recite that the upper case is configured such that the second clamping projection is fitted into the second clamping groove *when the upper section is rotated around the hinge so that the upper section overlies and is adjacent to the lower section*. Further, claims 11 and 12 recite that the first clamping projection and the second clamping groove *are provided on opposite*

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*surfaces of the portion of the upper lip extending around the upper section of the upper*  
case. Accordingly, Applicant respectfully requests an early indication of the allowance  
of claims 7-12.

SUMMARY AND CONCLUSION


Entry and consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

Any amendments to the claims that have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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